

Certificate of Mailing:
The undersigned certifies that this correspondence is being sent via first class mail, with adequate postage, in an envelope addressed to the Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, this 20th day of December 2004.

(s) 
Linda S. Evans

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Patent Applicant: Dubin et al.

Atty Docket No.: ORT1502-CON

Serial No.: 10/661,378

Art Unit: 1646

Filed: September 12, 2003

Examiner: unknown

For: DNA Encoding A Human Subunit
5-HT3-C Of The 5-HT3 Serotonin
Receptor

Confirmation No.: 6696

Mail Stop Missing Parts
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

SUBMISSION OF MISSING PARTS

Sir:

This is a response to the Notice To File Missing Parts Of Nonprovisional Application dated October 18, 2004. A copy of the Notice accompanies this response.

A Declaration And Power Of Attorney form bearing the signature of inventor Rene Huvar, which was missing from the copy of the declaration filed with the above-referenced application, is enclosed.

A letter requesting transfer of the previously filed sequence information from the parent application is included with this submission.

Please charge the following fees to Deposit Account No. 10-0750 (a duplicate of this paper is enclosed):

- \$130.00 surcharge for late oath or declaration; and
- the following filing fees:
 - \$790.00 for the basic filing fee for a utility application filed before December 8, 2004;
 - \$264.00 for 3 independent claims in excess of 3, and
 - \$18.00 for 1 total claim in excess of 20.

If any other fees are necessary for the filing of this, please charge all required fees to Deposit Account No. 10-0750.

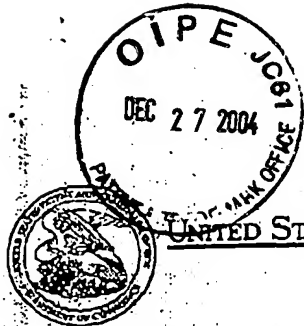
Respectfully submitted,

Date: December 20, 2004



Linda S. Evans
Reg. No. 33,873

Johnson & Johnson
One Johnson & Johnson Plaza
New Brunswick, New Jersey 08933-7003
(858) 320-3406



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NUMBER	FILING OR 371 (c) DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
10/661,378	09/12/2003	Adrienne E. Dubin	ORT1502-CON

CONFIRMATION NO. 6696

Philip S. Johnson, Esq.
Johnson & Johnson
One Johnson & Johnson Plaza
New Brunswick, NJ 08933-7003

FORMALITIES LETTER



OC000000014105411

Date Mailed: 10/18/2004

NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

Filing Date Granted

Items Required To Avoid Abandonment:

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The statutory basic filing fee is missing.
Applicant must submit \$ 790 to complete the basic filing fee for a non-small entity. If appropriate, applicant may make a written assertion of entitlement to small entity status and pay the small entity filing fee (37 CFR 1.27).
- The signature of the following inventor(s) is missing from the oath or declaration:
Rene Huvar
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.
- This application does not contain a statement that the content of the sequence listing information recorded in computer readable form is identical to the written (on paper or compact disc) sequence listing and, where applicable, includes no new matter, as required by 37 CFR 1.821(e), 1.821(f), 1.821(g), 1.825(b), or 1.825(d). Applicant must provide such statement. If the effective filing date is on or after September 8, 2000, see the final rulemaking notice published in the Federal Register at 65 FR 54604 (September 8, 2000) and 1238 OG 145 (September 19, 2000).
- A copy of the "Sequence Listing" in computer readable form has not been submitted as required by 37 CFR 1.821(e). If the effective filing date is on or after September 8, 2000, see the final rulemaking notice published in the Federal Register at 65 FR 54604 (September 8, 2000) and 1238 OG 145 (September 19, 2000). Applicant must provide an initial computer readable form (CRF) copy of the "Sequence Listing" and a statement that the content of the sequence listing information recorded in computer readable form is identical to the written (on paper or compact disc) sequence listing and, where applicable, includes no new matter, as required by 37 CFR 1.821(e), 1.821(f), 1.821(g), 1.825(b), or 1.825(d). If applicant desires the sequence listing in the instant application to be identical with that of another application on file in the U.S. Patent and Trademark Office, such request in accordance with 37 CFR 1.821(e) may be submitted in lieu of a new CRF.

BEST AVAILABLE COPY

For questions regarding compliance to these requirements, please contact:

- For Rules Interpretation, call (703) 308-4216
- To Purchase PatentIn Software, call (703) 306-2600
- For PatentIn Software Program Help, call (703) 306-4119 or e-mail at patin21help@uspto.gov or patin3help@uspto.gov

The applicant needs to satisfy supplemental fees problems indicated below.

The required item(s) identified below must be timely submitted to avoid abandonment:

- Additional claim fees of \$282 as a non-small entity, including any required multiple dependent claim fee, are required. Applicant must submit the additional claim fees or cancel the additional claims for which fees are due.

SUMMARY OF FEES DUE

Total additional fee(s) required for this application is \$1202 for a Large Entity

- \$790 Statutory basic filing fee.
- \$130 Late oath or declaration Surcharge.
- Total additional claim fee(s) for this application is \$282
 - \$264 for 3 independent claims over 3.
 - \$18 for 1 total claims over 20.

Replies should be mailed to: Mail Stop Missing Parts
Commissioner for Patents
P.O. Box 1450
Alexandria VA 22313-1450

*A copy of this notice **MUST** be returned with the reply.*



Customer Service Center
Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE

BEST AVAILABLE COPY